IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 19217 of 2004

Between:

Mr.Khaja Moinuddin S/o Md.Hanif
Resident of H.No.41, V.C.Lodge Quarters, O.U.Campus, Hyderabad.

..... PETITIONER

AND

1 Osmania University rep.by the Registrar, O.U.Campus, Hyderabad
2 The Vice Chancellor Osmania University, Hyderabad.
3 The Engineer, Building Division Osmania University, Hyderabad

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent in not clearing the due amounts of Rs.9,47,495/- for supply of water in pursuance of notice dt.23rd July, 2004 and reminder notice dt.3rd Oct., 2004 as arbitrary, illegal and high handed.

Counsel for the Petitioner: MR.BAJRANG SINGH THAKUR,Advocate.

Counsel for the Respondents.: MR.DEEPAK BHATTACHARJEE

Standing Counsel for Osmania University.

The Court made the following :

Oral Order:

It is well settled that money claims cannot be resolved under Article 226 of the Constitution. If the Petitioner supplied any water as alleged by him, for non-payment of amounts as agreed by the University, the proper remedy for the petitioner is to approach the competent Civil Court for due recovery of the said amount.

The writ petition is accordingly dismissed. No costs.

_____ A.GOPAL REDDY, J.

14-10-2004

Murthy

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Registrar, Osmania University, O.U.Campus, Hyderabad
2 The Vice Chancellor, Osmania University, Hyderabad.
3 The Engineer, Building Division Osmania University, Hyderabad

4.TwoCD copies.